

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
2018 AUG 22 PM 1:06
OFFICE OF THE CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN NICHOLS and JESUS VEGA-
MORAILA,

Defendants.

8:18CR76

SUPERSEDING INDICTMENT

21 U.S.C. § 846

21 U.S.C. § 841(a)(1) & (b)(1)

18 U.S.C. § 922(g)(1)

21 U.S.C. § 853

The Grand Jury charges that:

COUNT I

Beginning on or about October 1, 2017, and continuing to on or about April 26, 2018, in the District of Nebraska and elsewhere, Defendants JOHN NICHOLS and JESUS VEGA-MORAILA, did knowingly and intentionally combine, conspire, confederate, and agree together and with other persons to possess with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1).

In violation of Title 21, United States Code, Section 846.

COUNT II

On or about March 2, 2018, in the District of Nebraska, Defendant JOHN NICHOLS did knowingly and intentionally possess with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1) and Title 21, United States Code, Section 841(b)(1).

COUNT III

On or about March 2, 2018, in the District of Nebraska, Defendant JOHN NICHOLS, having been convicted in Douglas County Court on January 10, 1990, of a crime punishable by imprisonment for a term exceeding one year, to wit: Theft by receiving stolen property and possession of a controlled substance, did knowingly possess in and affecting commerce an Innerarms 9mm handgun, serial number 2091167, which had been shipped and transported in interstate commerce.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

FORFEITURE ALLEGATION

The allegations contained in Count I of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853.

Pursuant to Title 21, United States Code, Section 853, upon conviction of the offense set forth above in Count I, Defendant JOHN NICHOLS shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense. The property to be forfeited includes, but is not limited to:

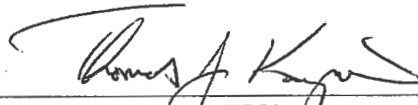
1) \$13,116 in United States currency seized on March 2, 2018 from the residence of 424 Hascall Street, Omaha, Nebraska.

In violation of Title 21, United States Code, Section 853.

A TRUE BILL.

FOREPERSON

The United States of America requests that trial of this case be held in Omaha, Nebraska, pursuant to the rules of this Court.

A handwritten signature in black ink, appearing to read "Thomas J. Kangior", is written over a horizontal line.

THOMAS J. KANGIOR
Assistant United States Attorney